

(42)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

O.A.No. 1067/95.

Date of decision: 23rd March, 1998.

Between:

Har Dayal Singh. .. Applicant.

And

1. Union of India represented by its Secretary, Dept. of Science and Technology, Technology Bhavan, New Mehrauli Road, New Delhi 110 016.
2. Surveyor General of India, Survey of India, P.B.No.37, Hathbarikara Estate, Dehradu, Utter Pradesh 248 001.
3. Director, South Central Circle, Survey of India, Barkatpura, Hyderabad.

Respondents.

Counsel for the applicant: Sri P.B.Vijaya Kumar.

Counsel for the respondents: Sri N.V.Raghava Reddy.

CORAM:

Hon'ble Sri R. Rangarajan, Member (A)

Hon'ble Sri B.S.Jai Parmeshwar, Member (J)

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(43)

O.A.No.1067/95.

(per Hon'ble Sri B.S.Jai Parameshwar, Member (J))

Heard Sri Durga Rao for Sri P.B.Vijaya Kumar,
the learned counsel for the applicant and Sri N.V.Raghava
Reddy ~~for~~ the learned counsel for the respondents.

The applicant in this O.A., was appointed as
L.D.C., with effect from 12.12.1960 and was promoted as U.D.C.,
with effect from 5.9.1966. Gradation list of U.D.Cs., was
prepared from 1964 onwards by the Department. The applicant
states that the preparation of Gradation list from 1964 was
illegal for not following the instructions of the Government
of India for the purpose of seniority and promotion. It
is submitted that the method of drawing the seniority list
the case of
was challenged before the Karnataka High Court in V.T.

Rajendran vs. Union of India and The Karnataka High Court gave
for
directions for revision of the seniority list and the Department
finally published the revised seniority list of U.D.Cs.,
On 20-8-1993. It is stated by the applicant that by the
time the seniority list was finalised many of his juniors
were promoted as SGO Superintendents/E&AOs., The applicant therefor
submits that while revising the seniority list of all cadres
the Department had to revise the promotion of HC with effect
from 20-10-75 instead of 30.8.76, OS with effect from 14.12.1987
instead of 5.12.1991 and SGO Superintendent with effect from
17.7.1991 instead of 3.7.1995 and finally as E&AO with

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effect from 28.8.1993 instead of 21.7.1995 taking into account the promotions of the junior Sri Vilayatiram.

The applicant has filed the O.A., praying for a direction to the respondents to extend the benefit of the judgment in O.A.857/94 dated 6.12.1994 and for a direction for promotion to the posts of Head Clerk, Office Superintendent, SGO Superintendent and Establishment Accounts Officer with effect from 20.10.1975, 14.12.1987, 17.7.1991, 28.8.1972 respectively with all consequential benefits including payment of arrears of difference of pay and all other attendant benefits.

The respondents have filed their counter similar to the one filed in O.A.1065/95.

The grounds raised in this O.A., and the reliefs claimed are similar to those in O.A.1065/95 decided today. The applicant in this case also is senior to Vilayatiram.

Therefore, we issue ~~similar~~ ^{Similar to those} directions given in O.A.1065/95, in this O.A., which are as under:

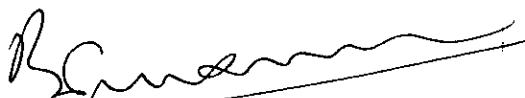
(a) The case of the applicant shall be considered for promotion to the cadre of Head Clerk, Office Superintendent in accordance with the revised seniority list of U.D.Cs., finalised on 20.8.1993.

b) The respondents may consider the case of the applicant accordingly and grant him further promotions from the date from which his junior was promoted on the basis of that revised seniority list.

c) The case of the applicant for further promotions shall be considered from the date from which his junior was promoted in the said revised seniority list and accordingly fix the pay of the applicant in the cadres of the Head Clerk, Office Superintendent etc., notionally from the date when his immediate junior was promoted and shall pay him monetary benefits only from the date when he shouldered the higher responsibilities.

d) Time for compliance 4 months from the date of receipt of this order.

With the above directions, the O.A., is disposed of. No order as to costs.


B.S. JAI PARAMESHWAR,
Member (J)
22/3/98


R. RANGARAJAN,
Member (A)

Date: 23-3-1998

Dictated in open Court.

sss.

(46)

Copy to:

1. Secretary, Dept. of Science and Technology,
Technology Bhawan, New Mehrauli Road,
New Delhi.
2. Surveyor General of India, Surveyor of India,
P.B. No. 37, Hathibarkara Estate, Dehradun,
Uttar Pradesh-248 001.
3. Director, South Central Circle, Survey of India,
Barkatpura, Hyderabad.
4. One copy to Mr. P. B. Vijaya Kumar, Advocate, CAT, Hyderabad.
5. One copy to Mr. N. V. Raghava Reddy, Addl. CGSC, CAT, Hyderabad.
6. One copy to O.R(A), CAT, Hyderabad.
7. One copy to HBSJP, M(J), CAT, Hyderabad.
8. One duplicate copy.

2/3/98
II COURT

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR :
M (J)

DATED: 23/3/98

ORDER/JUDGMENT

M.A/R.A/C.P.NO.

in

D.A.NO. 1067/95

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLKR

